

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO.: 1:20-CR-183-3

v.

HON. ROBERT J. JONKER  
TY GERARD GARBIN,

Defendant.

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**DEFENDANT TY GARBIN MOTION FOR A VARIANCE UNDER 18 USC 3553**

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For the reasons discussed more fully in Mr. Garbin's Brief in Support of this Motion for a Variance Under 18 USC 3553, Mr. Garbin respectfully requests that the Court grant a downward variance for the following reasons:

1. Mr. Garbin has demonstrated extraordinary acceptance of responsibility for his actions, *viz.*, immediately cooperating with the government at the time of his arrest, pleading guilty relatively soon after arrest, and being the first and only defendant to plead guilty and cooperate with the government thus far.
2. Mr. Garbin, a man of slight build, will be particularly vulnerable to physical assault or even death in prison due to his cooperation in this case;
3. Prior to this case, Mr. Garbin had a completely clean criminal history;
4. Mr. Garbin overcame years of physical and verbal abuse at the hands of his biological father to become a certified aviation mechanic at a young age, worked full-time, earned good money, and used his talents and skills for a positive purpose;
5. Mr. Garbin was particularly vulnerable to becoming involved in extremism because of the very same abuse he experienced from his biological father (*see* Attachment A - Sentencing Mitigation Video (Video), Attachment B - Dr. Atara Abramsky's Psychological Evaluation (Dr. Abramsky's Report), Attachment C - Parents for Peace Report); and,

6. Mr. Garbin has already engaged in and is committed to completing deradicalization treatment with Parents for Peace and eager to help deradicalize others involved in extremism at the conclusion of this case (*see* Video and Parents for Peace Report).

Respectfully submitted,

Dated: 08/18/2020

/s/ Gary K. Springstead

Gary K. Springstead (P59726)

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